

**Notice of Allowability**

Application No.

10/020,355

Examiner

Charles E. Anya

Applicant(s)

TOGASAKI, SHINOBU

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to remarks and amendment of 11/23/07.
2. ☒ The allowed claim(s) is/are 1-3, 5, 6, 8, 10-15, 17, 18, 23-26, 30-32; now renumbered as 1-21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_

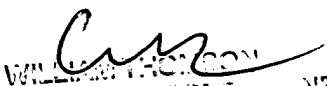
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>2/1/08</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                       |
|  | 9. <input type="checkbox"/> Other _____  |

  
WILLIAM H. THOMSON  
SUPERVISORY PATENT EXAMINER

### **EXAMINER'S AMENDMENT & REASONS FOR ALLOWANCE**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John P. Wagner, Jr. (Reg. No. 35,398) on 2/1/08.

#### **I. EXAMINER'S AMENDMENT:**

In the claims:

Rewrite Claim 1 as follows:

A method for routing a transaction to a front-end server, comprising:  
identifying at least one attribute-based category for said transaction;  
attempting to identify at least one of a plurality of front-end servers to process said transaction based at least in part on said identified attribute-based category of said transaction and at least in part on said front-end servers being assigned to execute transactions corresponding to said attribute-based category;  
when at least one of the front-end servers is identified, routing said transaction to one of said at least one identified front-end server;  
when no front-end server is identified, routing said transaction to a default one of the front-end servers;

determining whether the transaction is associated with a new attribute-based category, and if so, assigning the new attribute based category to one of the front end servers;

wherein identifying said at least one front-end server comprises comparing said attribute-based category for said transaction to assigned attribute-based categories for said plurality of front-end servers.

Claim 4;

Cancel claim 4.

## **II. REASONS FOR ALLOWANCE:**

The prior arts of record do not explicit teach or render obvious the invention as recited in the independent claims.

The Okanoya et al prior art (U.S. Pat. No. 6,128,657) provides a load sharing system which performs functionally-distributed processing with a plurality of processors. The system comprises a plurality of servers for processing a service request received over a first network, and a communication controller coupled to the first network and a second network that involves a user terminal. The communication controller receives a user request sent from the user terminal over the second network, and sends the service request that is produced from the received user request to a server selected out of the plurality of servers over the first network.

However, the invention as claimed "identifying said at least one front-end server comprises comparing said attribute-based category for said transaction to assigned attribute-based categories for said plurality of front-end servers or determining a status of an attribute-based category; and deallocating said attribute-based category from said front-end server to which it is assigned when said status is inactive", when taken in the context of the claims as a whole, was not uncovered in the prior art's teaching.

Nor were references uncovered that would have provided a basis of evidence for asserting a motivation that one of ordinary skill in the art at the time the invention was made, knowing of a load sharing system for sending a service request to a server selected out of the plurality of servers over a network, would have integrated or modified to teach a routing of transaction to a server including identifying front-end server by comparing an attribute-based category for a transaction to an assigned attribute-based categories for a plurality of front-end servers or determining a status of an attribute-based category and deallocating the attribute-based category from the front-end server to which it is assigned when the status is inactive" as claimed by the instant application.

Dependent claims are allowed as they depend upon allowable independent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E. Anya whose telephone number is 571-272-3757. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on 571-272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

cea.

  
WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER